

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ALTON D. BROWN,)	
)	
Plaintiff,)	
v.)	Civil No. 16-1081
)	
TOM WOLF, et. al,)	
)	
Defendants.)	

MEMORANDUM ORDER

Before the Court is Alton D. Brown's Motion for Reconsideration of this Court's Order denying Mr. Brown's Appeal of the Magistrate's Order of June 2, 2021 (which Order denied Mr. Brown's "Motion for Protection from the Retaliation in the Form of Denying Plaintiff the Vaccine for Covid-19"). ECF No. 445. All Defendants have filed Responses to Mr. Brown's Motion. ECF Nos. 450, 452, & 453. All three Defendants' argue that Mr. Brown has not met the standard for reconsideration in that he has not shown a need "to correct manifest errors of law or fact or to present newly discovered evidence." Harsco Corp. v. Zlotnicki, 779 F.2d 906, 909 (3d Cir.1985); see also Max's Seafood Café v. Quinteros, 176 F.3d 669, 677 (3d Cir.1999). In addition, the Commonwealth Defendants state that SCI-Fayette has informed them that Mr. Brown received his COVID-19 vaccination on July 23, 2021. ECF No. 453, at 3.

AND NOW, this 23rd day of August 2021, inasmuch as Mr. Brown has not presented an intervening change in law; the availability of new evidence that was not available at the time of his original motion; or the need to correct a clear error of law or fact or to prevent manifest injustice, his Motion is DENIED.

s/Marilyn J. Horan
Marilyn J. Horan
United States District Judge

cc: Alton D. Brown, pro se
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